

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15335 of 2006

Dated:25.07.2006

Between:

M.Venkata Kumar S/o Pullanna

..... PETITIONER

And

State Election Commission, 3rd Flor, Buddah Bhavan,
M.G.Road, Secunderabad, rep., by its Secretary and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.15335 of 2006

ORDER:

The writ petition is filed seeking a Writ of Mandamus declaring the action of the 3rd respondent-Revenue Division Officer, Gadwal, in allowing the appeal, vide Proceedings No.B/1097/1/2006/5, dated 22.07.2006, by ignoring the certificate issued by the concerned school as arbitrary, illegal and contrary to the provisions of the A.P.Panchayat Raj Act, 1994, and consequently set aside the same, and pass such other suitable orders.

Several factual details had been narrated at length. It is stated that the Headmaster, Kondair, furnished a certificate, which shows that the date birth of the 4th respondent is 10.07.1989 and it is also stated that the 3rd respondent issued proceedings No.B/1097/1/2006/5, dated 22.07.2006, on submission of medical certificate. This is no doubt, a controversial question, which may have to be gone into at the

appropriate stage. In view of the advanced stage of process of election, this Court is not inclined to interfere at this stage. It is needless to say that the petitioner has a remedy by way of Election Petition, and liberty is given to the petitioner to approach the competent Election Tribunal.

Accordingly, the writ petition is disposed of. No order as to costs.

25.07.2006

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